

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

VIRTAMOVE, CORP.,

Plaintiff,

v.

AMAZON.COM, INC.; AMAZON.COM
SERVICES LLC; AND AMAZON WEB
SERVICES, INC.,

Defendant.

Case No. 7:24-CV-00030-DC-DTG

JURY TRIAL DEMANDED

**DECLARATION OF DANIEL KOLKO IN SUPPORT OF PLAINTIFF VIRTAMOVE,
CORP.'S PARTIAL MOTION TO DISMISS**

I, Daniel B. Kolko, declare and state as follows:

1. I am a member of the State Bar of California and an attorney at the firm of Russ August & Kabat, counsel of record for Plaintiff VirtaMove, Corp. in the above-captioned action. I submit this declaration in support of Plaintiff's Partial Motion to Dismiss. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.

2. Attached as Exhibit 1 is a true and correct copy of the AWS Customer Agreement, last updated May 17, 2024.

3. Attached as Exhibit 2 is a true and correct copy of VirtaMove's infringement contentions for U.S. Patent No. 7,519,814, alleging infringement of Amazon products and services using secure containerized applications.

4. Attached as Exhibit 3 is a true and correct copy of VirtaMove's infringement contentions for U.S. Patent No. 7,784,058, alleging infringement of Amazon's products and services using user mode critical system elements as shared libraries.

5. Attached as Exhibit 4 is a true and correct copy of an excerpt from the Deposition Transcript of Susan Cameron, taken on August 27, 2024.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Executed on September 12, 2024 in Los Angeles, California.

/s/ Daniel B. Kolko
Daniel B. Kolko